

1645



Attorney's Docket No. 09100.020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Caroline CONNELLY et al.

Appl. No.: 09/857,433

Group Art Unit: 1645

Filed: March 5, 2002

Examiner: R. Gitomer

For: HOMOCYSTEINE ASSAY

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is filed in response to the Restriction Requirement originally issued on March 4, 2004, for which the period for response to which has been reset to September 25, 2004 in the Examiner Interview Summary dated August 25, 2004 . No extensions of time or fees therefore are necessary for this response.

In response to the restriction requirement, Applicant hereby elects to prosecute the claims of Group I, namely claims 1-19 and 21-23, directed to an assay.

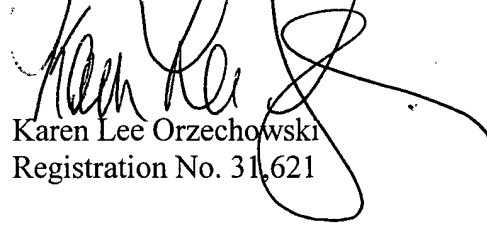
Upon the indication of allowable subject matter, Applicant requests reconsideration of this restriction requirement and consideration of the claim of Group II drawn to a kit for a homocysteine assay.

It is believed that no petition or fee is due with this submission. Should that determination be incorrect, then please accept this as an appropriate petition and advise the undersigned of any required fee therefore.

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Should the Examiner or the Patent Office have any further questions regarding this matter, please contact the undersigned.

Respectfully submitted,


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Date: September 7, 2004

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. (703) 308-2742 on September 7, 2004.

Karen Lee Orzechowski

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 7, 2004.

Karen Lee Orzechowski